FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE

WRIT PETITION NO. 12 OF 2005

Office Notes, Office Memoranda of Coram, appearances, Court's orders or directions and Registrar's orders.

Court's or Judge's orders

Mr. R.S. Pai with Ms. Smita Upadhyay i/by M/s. Haresh Mehta & Co. for Petitioner.

Ms. S.V. Bharucha for Respondents.

CORAM : F.I. REBELLO,J.
DATED : JANUARY 13, 2005
P.C.

. The Petition is against show cause notice. Petitioner however, apprehends that he will be arrested. He submitted that his case is covered by the Judgment of the learned Single Judge of Calcutta High Court in the case of Indian Drilling and Mining (Private) Ltd and another Vs. REgional Provident Fund Copmmissioner, Employees' Provident Fund Organisation and Others 2001(2) L.L.N. 306.

. Considering that it is only show cause notice, it will not be appropriate for this court to exercise extra ordinary jurisdiction. However, at the same time, as arrest is apprehended, suitable

directions can be issued.

(1) The person to whom notice is issued, will appear before Respondents and he will be entitled to be represented by Advocate.

(2) The said person to whom notice has been given, not to be arrested pending the hearing and final disposal of the proceedings and for the period of four weeks thereafter if the order tobe adverse from the date of communication of the order to the petitioner.

. Rule made absolute accordingly. No order as to costs.

(F.I. REBELLO,J.)